

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>KENDALL CURRY,</b>	:	
<b>Petitioner,</b>	:	
	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	
	:	<b>NO. 13-3910</b>
<b>GERALD ROSUM,</b>	:	
<b>Respondent.</b>	:	

**ORDER**

**AND NOW**, this 29<sup>th</sup> day of April 2015, upon careful and independent consideration of the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 [Doc. No. 1] and Petitioner's Motion Requesting Stay [Doc. No. 2], all memoranda and exhibits in support of the Petition, the Respondents' response thereto, and the entire record in this case, and upon review of the Report and Recommendation ("R&R") of United States Magistrate Judge Linda K. Caracappa [Doc. No. 16], and having reviewed *de novo* the grounds on which Petitioner objected, and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that:

1. The Motion Requesting Stay is **GRANTED** as follows: The Clerk of Court shall place this case into **STAY AND CIVIL SUSPENSE** pending exhaustion of Petitioner's second petition pursuant to the Pennsylvania Post Conviction Relief Act ("PCRA"). Upon a final disposition of Petitioner's second PCRA petition, Petitioner and Respondent shall each **FILE** written notice of such final disposition within 30 days.
2. The Court **DECLINES TO ADOPT** the R&R; and
3. Petitioner's objections [Doc. No. 17] are **DISMISSED** as **MOOT**.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ Cynthia M. Rufe

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**CYNTHIA M. RUFE, J.**